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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,856	03/22/2001	Masanori Asakura	81800.0151	6925

26021 7590 07/30/2004
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EXAMINER

EDWARDS, PATRICK L

ART UNIT PAPER NUMBER

2621

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/816,856

Applicant(s)

ASAKURA, MASANORI

Examiner

Patrick L Edwards

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on May 18th, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. The response received on May 18th 2004 has been placed in the file and was considered by the examiner. An action on the merits follows.

Response to Arguments

2. The applicant's arguments, filed on May 18th 2004, have been fully considered. A response to these arguments is provided below.

Drawing Objections

Summary of Argument: The applicant has amended the drawings in order to correct the previously existing errors.

Examiner's Response: The original objection to the drawings is hereby withdrawn.

Prior Art Rejections

Summary of Argument: The applicant has amended the independent claims by adding the additional limitation of resetting a latch circuit at the end of the former unit, but not resetting the final enumerated value of a counter for the unit.

Examiner's Response: Applicant's arguments have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

With regard to claims 1 and 5, the claims have been amended to add the limitation that a latch circuit is reset at the end of a former unit (see the 2nd paragraph of these respective claims). The original specification, which

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fails to mention a latch circuit of any kind, does not disclose the claimed limitation of resetting said latch circuit at the end of a former unit. Consequently, the amended claims contain new matter.

Claims 2-4 and 6-8 are rejected because they are dependent on the above rejected independent claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Farwell et al. (US Pat. No. 5,062,001).

With regard to claims 1, 2, 5 and 6 Farwell et al. discloses keeping a final enumerated value of the counter for a former unit instead of resetting the final enumerated value (col. 4 line 66 – col. 5 line 11 with Figure 1). Farwell discloses a counter (element 42 of Figure 1) that counts up to a number that doesn't divide evenly into the number of clocked positions (i.e. the number of pixels on a line of pixel data). It follows that Farwell discloses keeping the final enumerated value of the counter for a previous line of pixel of data (i.e. a former unit) instead of resetting the final enumerated value.

Farwell further discloses resetting a latch circuit at the end of the previous line of pixel data. Farwell discloses a counter (element 42 of Figure 1) which counts the last pixel data of the previous scanning line. A latch circuit is inherently reset during a counting operation. It is well known in the art that counters are made up of latches, and that these latches are reset each and every time a counting operation is performed. Consequently, this limitation is inherent in the Farwell disclosure.

Farwell further discloses carrying out a counting processing at a beginning of a current unit with a consecutive enumerated value from the kept final enumerated value (col. 10 lines 60-66).

The limitations recited in the preamble of claims 1 and 5 which are not included in the body of the claim have not been given any patentable weight and will not be discussed with respect to these claims. Please refer to MPEP § 2112.02 for further information regarding limitations recited in the preamble of the claim.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-4 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell as applied to claims 1 and 5 above, and further in view of Honma et al. (USPN 5,280,348). The arguments as to the relevance of Farwell as applied above are incorporated herein.

With regard to claims 3 and 7, Farwell fails to expressly disclose a memory for storing and reading pixel data in synchronization with a write and read clock, respectively. Farwell also fails to expressly disclose that the pixel data is interpolated by sub-sampling the write clock and decimated (thinned-out) by sub-sampling the read clock.

Honma, however, discloses a memory for storing and reading pixel data in synchronization with a write and read clock, respectively (Honma col. 9 lines 10-15 in conjunction with Figure 2B).

Honma further discloses interpolating (enlarging) the pixel data by thinning out the write clock, and decimating (or reducing) the pixel data by thinning out the read clock. (Honma col. 9 line 45 – col. 10 line 5 in conjunction with Figures 13 and 14(a-b)).

It would have been obvious to one reasonably skilled in the art at the time of the invention to modify Farwell's image processing method by thinning out a write clock in order to enlarge an image, and thinning out a read clock in order to reduce the image as taught by Homna. Such a modification would have allowed for an image processing method that could both reduce and increase pixel data of an image using algorithm's that were efficient, easy to implement and well known in the art. This would have made for a more robust and useful system. It also would have been obvious to one reasonably skilled in the art at the time of the invention to add a memory for reading and writing pixel as taught by Homna to Farwell's image processing system. Such a modification would have allowed for a more robust image processing method that could be performed as the image was being read in, or after a read-in operation had already occurred.

With regard to claims 4 and 8, Homna further discloses that the thinning of the write and read clocks is in accordance with a value (M) set in a register (Homna col. 9 line 61).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period,

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then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick L Edwards whose telephone number is (703) 305-6301. The examiner can normally be reached on 8:30am - 5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick L Edwards

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